

1
2 BILL NO. Z-75-08-*13*

3 ZONING MAP ORDINANCE NO. Z- 12-75

4 AN ORDINANCE amending the City of Fort
5 Wayne Zoning Map No. AA-12

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
7 WAYNE, INDIANA:

8 SECTION 1. That the area described as follows is hereby designated
9 a R3 district under the terms of Chapter 36, Municipal Code of the City of Fort
10 Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amend-
11 ments thereof; and the symbols of the City of Fort Wayne Zoning Map No. AA-12,
12 referred to therein, established by Section 9, Article III of said Chapter as
13 amended, are hereby changed accordingly, to-wit:

14
15 Lots 520 and 521 in Fairfield Terrace
16 Addition, Section "B" to the City of
17 Fort Wayne, Allen County, Indiana

18 SECTION 2. This Ordinance shall be in full force and effect from
19 and after its passage, approval by the Mayor and legal publication thereof.

20
21 *Eugene Kraush.*
22 Councilman

23
24
25
26
27
28
29
30
31 APPROVED AS TO FORM
32 AND LEGALITY.
33 *Rid. Ette*
34 OFF ATTORNEY

35

Read the first time in full and on motion by Kraus, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 8/2/75

Charles W. Whittemore
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage.

Passed (EST) by the following vote:

AYES 8, NAYS 0, ABSTAINED X, ABSENT / to-wit:

BURNS	<u>X</u>	_____	_____	_____
HINGA	<u>X</u>	_____	_____	_____
KRAUS	_____	_____	<u>/</u>	<u>/</u>
MOSES	<u>X</u>	_____	_____	_____
NUCKOLS	<u>X</u>	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____

DATE: 10-14-75

Charles W. Whittemore
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 3-12-75 on the 14th day of October, 1975.

ATTEST: (SEAL)

Charles W. Whittemore
CITY CLERK

James Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1975, at the hour of 11:00 o'clock

A. M., E.S.T.

Charles W. Whittemore
CITY CLERK

Approved and signed by me this 16th day of October, 1975, at the hour of 10:00 o'clock A. M., E.S.T.

Jack V. Lee
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 12, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-08-13; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 15, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 22, 1975.

Certified and signed this
29th day of September, 1975.



Charles N. Hall
Secretary

Held

Z-75-08-13

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
Amending the City of Fort Wayne Zoning Map No. AA-12

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance *[Signature]* PASS.

Eugene Kraus, Jr. - Chairman

John Nuckols - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

Donald J. Schmidt

John E. Jacobs
Division of Schmidt
for the Bureau

~~QOShomish~~

DATE 10-14-73 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

GENERAL FUND

No. 022

FT. WAYNE, IND.

July 11 1975

RECEIVED FROM

Diane Kraus \$ 50.00

THE SUM OF

Inter Goldbars - DOLLARS

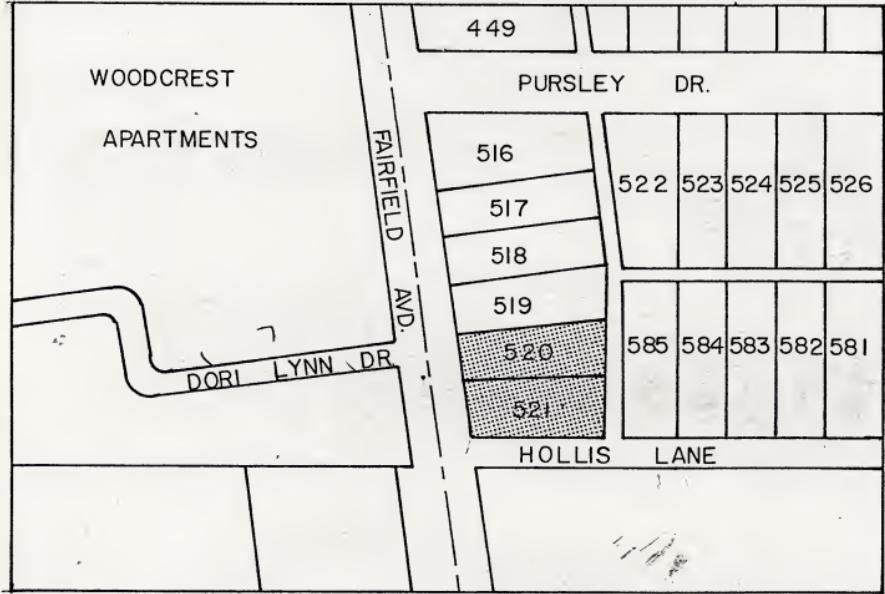
ON ACCOUNT OF

Rebating not 520 \$521⁰⁰

Fairfield Terrace

N. Hartman

AUTHORIZED SIGNATURE



 TO BE CHANGED

"R1" to "R3"

Bill No. Z-75-08-13

7-17-75

AA-12

L.S.

Z-75-08-13

N

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/We Eugene Kraus Jr.

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana,
by reclassifying from a/an R1 district to a/an R3 district the
property described as follows:

Lots 520 and 521 in Fairfield Terrace Addition, Section "B" to the City of

Fort Wayne, Allen County, Indiana

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum
(51%) or more of the property described in this petition.

Eugene Kraus805 Gettle BuildingFort Wayne, IndianaEugene Kraus

(Name)

(Address)

(Signature)

Legal Description Checked By:

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Eugene Kraus

(Name)

805 Gettle Building02

(Address)

422-4796

(Telephone Number)

Bicendo. 2-7508-18

September 15, 1975

City Plan Commission

RE: Rezoning of Lot's # 520 & 521 in Fairfield Terrace Addition, Section " B " from Residential 1 to Residential 3.

The Lincolnshire Community Association has reviewed the proposal of rezoning Lot's # 520 & 521, in Fairfield Terrace Addition, from Residential 1 to the newly proposed Residential 3 and has agreed that it will not oppose the rezoning, however in order to protect the neighboring residents we feel that the Plan Commission should give consideration that the following restrictions be applied.

1. That the proposed structure be limited to a One-Story office type building.
2. That the architecture be comparable to what few businesses we have in the community and that it should not resemble a residence.
3. That the landscaping also be comparable to the businesses we have in the community.

Sincerely,
the Lincolnshire Community Association

Incoming President Karen Blackledge
Outgoing President Vicky H. Heymann

EUGENE KRAUS, JR., owner of lots #520 and #521 in Fairfield Terrace addition, in consideration of permission granted by the Common Council of the City of Fort Wayne with the approval of the Mayor to use said real as an R-3 district as defined in the zoning ordinance of the City of Fort Wayne hereby agrees with the City of Fort Wayne as follows:

1. Use of said real estate will be limited to a one story office type structure after receiving permission from the Board of Zoning appeals for a variance so that said structure will conform with the zoning ordinance.
 2. That the structure will resemble an office building and not a residential structure.
 3. That proper landscaping will be adhered to in accordance with the surrounding area.
 4. That these restrictive covenants will be binding on myself and whoever buys said property from me.
5. Access from this property shall be from Hollis Lane only.
- IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal this 22nd day of September, 1975.

BY

Eugene Kraus Jr.

Eugene Kraus, Jr.

STATE OF INDIANA }
COUNTY OF ALLEN } SS:

Before me, a Notary Public in and for said County and State, this 22nd day of September, 1975, personally appeared Eugene Kraus, Jr., who acknowledged the execution of the foregoing agreement as his voluntary act and deed.

WITNESS my hand and notarial seal.

Janet Sue Stevens

Janet Sue Stevens

Notary Public

My Commission expires: July 1, 1978

Number assigned by Dave Keller's Office: # 3813
DIGEST SHEET

Admn. Appr. *✓*

TITLE OF ORDINANCE Zoning map amendment ordinance *3-75-08-13*

DEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning & Zoning

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the
following described property: Lots # 520 and # 521 in Fairfield Terrace

Addition, Section "B", generally located on the north-east corner of Hollis

Lane and Fairfield Avenue.

From "R1" to "R3"

EFFECT OF PASSAGE Property is presently zoned "R1" - One Family Residential.

Petitioners are requesting an "R3" District - Multiple Family Residential. An
office or studio may be permitted in an "R3" following approval by the Board of
Zoning Appeals

EFFECT OF NON-PASSAGE Property would remain an "R1"

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) *Regulation M*



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

October 21, 1975

Miss Lelen Libbing:

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of October 23 and October 30, 1975, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana
Bill No. Z-75-08-13
Zoning Map Ordinance No. Z-12-75

Please send us five (5) copies of the Publisher's Affidavits from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

Common Council of Fort Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM**LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

83 lines, 1 column wide equals 83 equivalent lines at .288¢ cents per line

\$ 22.90

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

1.50

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

</div

Common Council of Fort Wayne

(Governmental Unit)

Allen

County, Ind.

To NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

81

Tail number of lines

2

Total number of lines in notice

83

COMPUTATION OF CHARGES

83 lines, 1 column wide equals 83 equivalent lines at .2884

\$ 23.90

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

=\$ 25.40

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ pointNumber of insertions 2Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*V.E. Gerken*Date October 30, 19 75Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN, County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned, V.E. Gerken, who, being duly sworn, says that He is Clerk of the NEWS-SENTINEL.

DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time, 10/23-30/75, the dates of publication being as follows:

10/23-30/75

Subscribed and sworn to before me this

30thday of October, 19 75

Notary Publ.

My commission expires September 28, 1979

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above copy is a full, true and complete copy of the Map Ordinance No. Z-12-75, passed by the City Council the 16th day of October, 1975, and that said ordinance is duly signed and approved by the Mayor on the 16th day of October, 1975 and now remains on file and record in my office.
WITHIN THE CITY OF FORT WAYNE, the official seal of the City of Fort Wayne, Indiana, this 16th day of October, 1975,
CHARLES W. WESTERMAN,
Clerk Clerk.

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines _____

Body number of lines _____

81

Tail number of lines _____

2

Total number of lines in notice _____

83

COMPUTATION OF CHARGES

83 lines, 1 columns wide equals 83 equivalent lines at .288¢ cents per line \$ 23.90

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) _____

1.50

TOTAL AMOUNT OF CLAIM

\$ 25.40

G COST

single column 11 ems

Size of type 5½ point

insertions 2

Size of quad upon which type is cast 5½

on and penalties of Ch. 89, Acts 1967.

The foregoing account is just and correct, that the amount claimed is legally due, after allowing all just expenses of the same has been paid.

Title CLERK

19.75

Notice is hereby given that on the 14th day of October, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Ordinance: Z-12-75 Z-12-75
Zoning Map Ordinance, for the
use of Fort Wayne, Indiana.
BILL OF ATTACHMENT
N.D. 75-1975

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA-12 COM-BE-12-75, as amended by the Common Council of the City of Fort Wayne, Indiana, Map AA-12, referred to therein, established by Section 9, Article III of said Chapter, and sections are hereby charged accordingly, to-wit:

Lots 520 and 521 in Fairfield Terrace Addition, Section "B" to the City of Fort Wayne, Allen County, Indiana

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approved by the Mayor and legal publication thereof.

EUGENE KRAUSH

Read the third time in full, motion by Nuckles; seconded by Hings, and duly adopted, placed on its passage, Passed by the following vote:

Ayes: Eight
Nays: Hings, Moses, Nuckles, D. Schmidt, Schmidl, Ster, Talarico

Nays: None
Abstained: One
Kraush

Dated: 10-14-75
CHARLES W. WESTERMAN, Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-12-75 on the 14th day of October, 1975.

JAMES W. WESTERMAN,
Presiding Officer,
CHARLES W. WESTERMAN,
City Clerk.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1975, at the hour of 11:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN,
City Clerk

Approved and signed by me this 16th day of October, 1975, at the hour of 10:00 o'clock A.M., E.S.T.

IVAN A. LEBAMOFF,
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and correct copy of Zoning Map Ordinance No. 2-12-75 passed by the Common Council on the 14th day of October, 1975, and that the Ordinance was duly signed and approved by the Mayor on the 16th day of October, 1975, and now remains on file and record in my office.

WITNESS: SS my hand, and the official seal of the City of Fort Wayne, Indiana, this 16th day of October, 1975.

CHARLES W. WESTERMAN,
City Clerk.

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWEALD who, being duly sworn, says that she is CLERK

JOURNAL-GAZETTE

DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

10-23-30/75

Subscribed and sworn to before me this 30th day of October 1975

Notary Public

My commission expires September 28, 1979

